

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MICHAEL L. BLUMENTHAL,)
)
)
Plaintiff,) Court No. 07 C 7230
vs.)
)
MATTHEW H. ANSELMO,) Judge Joan B. Gottschall
M & M MARKETING, L.L.C., and KATHRYN)
HEMENWAY)
) Magistrate Michael T. Mason
Defendants.)

DECLARATION OF MICHAEL L. BLUMENTHAL

MICHAEL L. BLUMENTHAL, being first duly sworn on oath, deposes and states as follows:

Pursuant to 8 U.S.C. § 1746, the undersigned Michael L. Blumenthal declares:

1. That I am the Plaintiff in the above-entitled cause. I make this declaration with the Court's permission, first had and obtained, in support of

PLAINTIFF'S MOTION FOR THE ISSUANCE OF A RULE TO SHOW CAUSE AGAINST DEFENDANTS MATTHEW A. ANSELMO and M&M MARKETING, L.L.C., FOR A TURNOVER ORDER AND ORDER FOR BODY ATTACHMENT

2. A true and accurate copy of each of the following accompanies this declaration:

<u>Exhibit</u>	<u>Document</u>
A	Citation to Discover Assets with proof of service.
B	APPEARANCE FORM FOR PRO SE LITIGANTS DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS received from Defendant Anselmo.
C	Records from State of Nebraska showing standing and incorporation of Premier Fighter, L.L.C.

3. **FURTHER AFFIANT SAYETH NOT.**

/s/ Michael L. Blumenthal
MICHAEL L. BLUMENTHAL

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FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MICHAEL L. BLUMENTHAL,)	
Plaintiff,)	Court No. 07 C 7230
vs.)	
MATTHEW H. ANSELMO, M & M)	Judge Joan B. Gottschall
MARKETING, L.L.C., and KATHRYN)	
HEMENWAY)	
Defendants.)	Magistrate Michael T. Mason

CITATION TO DISCOVER ASSETS

TO: Matthew H. Anselmo
415 Martin Drive
Bellevue, NE 68005

YOU ARE COMMANDED to appear before Judge Michael T. Mason, or any judge sitting in his stead in Room 2214 of the U.S. Courthouse located at 219 South Dearborn Street, Chicago, Illinois, on April 17, 2008 at 9:00 A.M., to be examined under oath to discover assets or income not exempt from enforcement of a judgment. A judgment in favor of Michael L. Blumenthal and against Matthew H. Anselmo was entered on January 21, 2008 in the amount of \$2,344,498.50 and \$2,344,498.50 remains unsatisfied.

YOU ARE COMMANDED to produce at the examination:

and book, papers or records in your possession or control which may contain information concerning the property or income, of or indebtedness due judgment debtor.

YOU ARE PROHIBITED from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from execution or garnishment belonging to the judgment debtor or to which the judgment debtor may be entitled or which may be acquired by or become due to the judgment debtor and from paying over or otherwise disposing of any money not so exempt, which is due or becomes due to the judgment debtor, until further order of court or termination of the proceedings. You are not required to withhold the payment of any money beyond double the amount of the judgment.

WARNING: YOUR FAILURE TO APPEAR IN COURT AS HEREIN DIRECTED MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL.

CERTIFICATE OF ATTORNEY (OR NON-ATTORNEY)

In the United States District Court for the Northern Division on January 31, 2008, a judgment in the amount of \$2,344,498.50 was entered in favor of Michael L. Blumenthal and against Matthew H. Anselmo in Case No.07 CV 7230 and a balance of \$2,344,498.50 remains unsatisfied.

I, the undersigned certify to the Court, under penalties as provided by law pursuant to 735ILCS 5/1-109 that all information stated herein is true.

ATTY NO. 6183007
NAME: Michael L. Blumenthal
ADDRESS: 77 W. Washington #1720
CITY/STATE: Chicago, IL 60602
TELEPHONE: (312) 372-3566

Signature of Attorney

WITNESS: _____, 2008

Exhibit A

Clerk of the Court

Jarrett Nease
Deputy Clerk
APR - 8 2008
Date

AFFIDAVIT OF SERVICE

Carl Barnett on oath states:

I am over 18 years of age and not a party to this case. I served the Citation To Discover Assets as follows:

On April 12, 2008 by leaving a copy with him personally on April 12, 2008, at the hour 3:10 P.M., at 8208 S 109th St Street in the City of La Vista, Nebraska, Illinois.

OR

On _____, 2008 by leaving on _____, _____, at the hour of hour _____ . M., at _____ Street in the City of _____, Illinois, his usual place of abode with, _____, a person of his family of the age of 13 or upwards informing that person of the contents of the Citation to Discover Assets, and also by sending a true and correct copy on _____, _____, by prepaid Registered Mail, addressed to him, Return Receipt Requested, delivery limited to addressee only. The registry receipt signed by addressee on _____, _____, is attached.

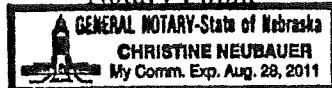
(attach receipt here)



**Signed and sworn to before me on this 15 day of April, 2008



Notary Public



** If service is made by sheriff, return may be made by certificate rather than by sworn affidavit.

**APPEARANCE FORM FOR PRO SE LITIGANTS
DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS**

Information entered on this form is required for any person filing a case in this court as a pro se party (that is, without an attorney).

NAME:

Matthew Anselmo

(Please print)

STREET ADDRESS:

8210 S. 109th St

CITY/STATE/ZIP:

La Vista NE 68137

PHONE NUMBER:

(402) 490-4571

CASE NUMBER:

07 C 7230

Email :

Anselmo@PremierFighter.com

Matthew Anselmo

Signature

4-18-08

Date

Official Nebraska Government Website[Home](#) » Corporation and Business Entity Searches

Fri Apr 25 10:53:50 2008

For Letters of Good Standing (\$6.50), Certificates of Good Standing (\$10.00), and/or images (\$0.45 per page) of documents filed with the Secretary of State please click the corresponding service below:

[NEW SEARCH](#)[SHOPPING CART](#)[Back to Search Results](#)**Pay Services:**[Online Images of Filed Documents](#) | [Good Standing Documents](#)

Entity Name	SOS Account Number
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PREMIER FIGHTER, L.L.C.	10106724
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Principal Office Address	Registered Agent and Office Address
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11329 "P" STREET OMAHA, NE	RICHARD WHITWORTH 8210 SOUTH 109TH STREET LAVISTA, NE 68128
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Nature of Business	Entity Type	Date Filed	Account Status
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Not Available	Domestic L L C Qualifying State: NE	Jan 16 2008	Active
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Corporation Position	Name	Address
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Member	M&M MARKETING, LLC	11329 P STREET OMAHA, NE 68137
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Pay Services:

To add an item to your shopping cart, please check the check box and click "Add Items to Cart" button at the bottom of the page.

- Images of Filed Documents

If a check box is visible, the document may be retrieved online, otherwise you must contact the Secretary of State's office to obtain a copy of the document.

Code	Trans	Date	Price
<input type="checkbox"/>	AL	Articles Limited	\$1.35 = 3 page(s) @ \$0.45 per page
<input type="checkbox"/>	PP	Proof of Publication	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	AO	Change of Agent or Office	\$0.45 = 1 page(s) @ \$0.45 per page

- Letter of Good Standing

I want to order an online/electronic Letter of Good Standing for the Corporation which is immediately available for viewing or printing from my desktop. \$6.50

- Certificate of Good Standing**Exhibit C**

I want to order a Certificate of Good Standing for the Corporation \$10.00
which contains the State Seal and signature of the Secretary of State. The
certificates are mailed from the Secretary of State's office within 2-3
business days.

[Click Here](#) to view FAQ for explanation for requesting a Letter of Good
Standing available online or Certificate of Good Standing available from
Secretary of State's office.

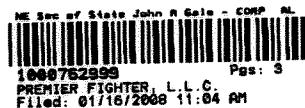
[Select All](#) | [Select None](#)

[ADD TO CART](#)

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For Help/Information about Images, please view the [FAQ](#). Thank you!

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ARTICLES OF ORGANIZATION OF PREMIER FIGHTER, L.L.C.

ARTICLE I

Premier Fighter, L.L.C.

The name of this limited liability company is Premier Fighter, L.L.C.

ARTICLE II

Duration

The period of duration of the Company is perpetual.

ARTICLE III

Purpose and Powers

3.1. **Purposes.** The purposes for which the Company is organized are to engage in any and all lawful business for which a limited liability company may be organized under the laws of the State of Nebraska, including but not limited to marketing mixed martial arts attire and related products.

3.2. **Powers.** The Company shall have and exercise all powers and rights conferred upon a limited liability company by the Nebraska Limited Liability Company Act (the "Act"), and any enlargement of such powers conferred by subsequent legislative acts.

ARTICLE IV

Principal Place of Business

The Company's principal place of business in Nebraska is located at 11329 "P" Street, Omaha, Nebraska 68137.

ARTICLE V

Registered Office and Registered Agent

5.1. **Office.** The initial registered office of the Company is located at 11329 P Street, Omaha, NE 68137.

5.2. **Agent.** The name of the initial registered agent of the Company at such address is Richard Whitworth.

ARTICLE VI

Stated Capital

The total amount of cash and description and agreed value of all property, other than cash, initially contributed by the members as a basis for capitalization of the Company are described below:

Property Contributed	Agreed Value
Cash	\$5,000.00
Personal Property	\$20,000.00
Total	\$25,000.00

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ARTICLE VII

Additional Capital Contributions

Additional contributions to the capital of the Company shall be made only at such times and in such amounts as the members of the Company shall consent to in writing, as provided in the Operating Agreement of the Company.

ARTICLE VIII

Admission of Additional Members

Additional members shall be admitted to the Company from time to time, upon the affirmative unanimous vote of the then-existing members.

ARTICLE IX

Transfer or Assignment of Membership

If a member of the Company does not obtain the prior written consent of at least a majority in interest of the other members of the Company to the transfer or assignment by contract or operation of law of all or any portion of such transferring member's interest in the Company, then the Transferee shall have no right to participate in the management of the Company or to become a member of the Company. In such event, the Transferee shall only be entitled to receive the share of the Company's profits or other compensation by way of income allocable to the transferred interest and the return of any capital contributions to which the transferring member would otherwise have been entitled with respect to such transferred interest. Any member of the Company may in his or her sole discretion withhold consent to any such transfer or assignment.

ARTICLE X

Withdrawal from Membership

Subject to the limitations on withdrawal of capital contained in the Act and in the Operating Agreement, any member may withdraw from membership in the Company at any time, but shall not be entitled to demand the return of any part of such withdrawing member's capital contribution until all liabilities of the limited liability company, other than liabilities to members, have been paid or provided for; and a majority in interest of the members have consented to the return; or such withdrawal has been authorized by amendment or cancellation of the articles of organization. No member shall be entitled to withdraw any property other than cash from the Company without the prior written consent of a majority in interest of the remaining members.

ARTICLE XI

Right to Continue Business

The business of the Company shall be continued upon the death, retirement, resignation, expulsion, bankruptcy, or dissolution of any member or on the occurrence of any other event which terminates the continued membership of any member in the Company upon the written consent of a majority in interest of the remaining members of the Company.

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ARTICLE XII

Management of the Company

The management of the Company shall be vested in the members. The names and addresses of the initial members are as follows:

M&M Marketing, LLC
11329 P Street
Omaha, NE 68137

ARTICLE XIII

Majority in Interest

Whenever the term "majority in interest" is used herein or in the Operating Agreement, it shall mean a majority of both the capital interests and the profits interests of the Members in question in the Company, determined as of the date in question.

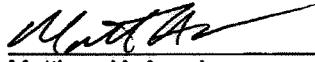
ARTICLE XIV

Amendments

These Articles of Organization shall be amended as required by the Act. In all other circumstances, these Articles may be amended only upon the affirmative vote of a two-thirds majority in interest of the members of the Company.

The undersigned, being all the members of the Company, hereby adopts and signs the foregoing Articles of Organization for the purpose of forming the Company under the Act.

MEMBERS



Matthew H. Anselmo
Member/Manager,
M&M Marketing, L.L.C.